

Message Text

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FM AMEMBASSY KINSHASA

TO SECSTATE WASHDC IMMEDIATE 4376

C O N F I D E N T I A L KINSHASA 6137

E.O. 11652: GDS

TAGS: CG, SHUM

SUBJECT: HUMAN RIGHTS, DRAFT COUNTRY ACTION PLAN

REF: STATE 144199

1. EMBASSY FINDS DRAFT SUBMISSION AN EXCELLENT, COGENT DEPICTION OF THE CURRENT STATUS OF ZAIRE WITH REGARD TO HUMAN RIGHTS. EMBASSY SUGGESTIONS AND COMMENTS FOLLOW.

2. (A) SECTION 1, PARA A, SECOND SENTENCE; REWORD TO READ:

"WHILE THERE IS CERTAINLY SOME PHYSICAL ABUSE, THIS APPEARS TO BE LARGELY THE ACTION OF BADLY PAID AND TRAINED, ILL-DISCIPLINED POLICE."

(B) SECTION 1, PARA A, LAST SENTENCE; REWORD TO READ:

"HOWEVER, THERE ARE OFTEN PHYSICAL HARDSHIPS IN PRISON, E.G. INADEQUATE FOOD, CROWDED CELLS, POOR SANITARY CONDITIONS."

3. SECTION 1, PARA B, SECOND AND THIRD SENTENCES; SHOULD READ:

"AN UNDETERMINED BUT APPARENTLY CONSIDERABLE NUMBER OF PEOPLE WERE ARRESTED DURING THE RECENT INVASION OF THE COUNTRY. ALTHOUGH MANY WERE RELATIVELY QUICKLY RELEASED, SOME INCLUDING A ZAIRIAN EMPLOYED BY THE MISSION, LUYEYE, ARE STILL BEING DETAINED AFTER 3 MONTHS. IN MORE NORMAL TIMES THE NUMBER OF ARBITRARILY ARRESTED INDIVIDUALS IS RELATIVELY SMALL AND THEY ARE USUALLY HELD ONLY FOR A VERY SHORT PERIOD OF ONE TO SEVERAL DAYS."

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4. SECTION 2, INTRODUCTORY PARA, LAST SENTENCE; REWORD TO READ:

"THE EXTENT TO WHICH ZAIRIANS FEEL FREE TO CRITICIZE MOBUTU TO FOREIGNERS CONTRASTS SHARPLY WITH THE ATMOSPHERE IN TRULY REPRESSIVE REGIMES."

5. SECTION 2, PARAGRAPH A. SHOULD BE CHANGED TO READ AS FOLLOWS:

"THERE ARE NO PARTICULAR RESTRICTIONS ON FREEDOM OF THOUGHT

ALTHOUGH THERE IS A GOVERNMENT EFFORT TO INCULCATE A NATIONAL PHILOSOPHY "AUTHENTICITY" WHICH DOES INHIBIT THE EXPRESSION OF ALTERNATIVE INTELLECTUAL OUTLOOKS. THE GOVERNMENT DID IMPLEMENT MEASURES TO RESTRICT THE INDEPENDENCE OF RELIGIOUS INSTITUTIONS AND THE PRACTICE OF RELIGION IN 1974 AND 1975. SINCE THEN, HOWEVER, THE GOVERNMENT HAS RETRACTED MOST OF THESE MEASURES AND REACHED AGREEMENTS WITH THE CHURCHES WHEREBY FREEDOM OF RELIGION LARGELY HAS BEEN RESTORED. THE GOVERNMENT STILL ACTIVELY MONITORS RELIGIOUS ACTIVITIES AND ON OCCASION MAY INTERVENE IN CHURCH ADMINISTRATION. THERE IS NO RESTRICTION ON THE RIGHT OF ASSEMBLY, EXCEPT FOR POLITICAL PURPOSES, WHICH IS BY DEFINITION PROHIBITED UNLESS UNDER THE AEGIS OF THE SINGLE POLITICAL PARTY."

6. (A) SECTION 2, PARAGRAPH C, SECOND SENTENCE; REWORD TO READ:

"THE PRESENT POLITICAL SYSTEM DOES NOT LEND ITSELF TO FULL DEMOCRATIC PROCESSES."

(B) SECTION 2, PARA C, THIRD SENTENCE; DELETE: "MUST JOIN THE NATIONAL PARTY" AND REPLACE WITH "MUST BE AN ACTIVE PARTY MEMBER." FYI: IT IS STATED THAT ALL CITIZENS ARE PARTY MEMBERS BY VIRTUE OF LAW. THUS NO ONE NEED JOIN THE PARTY SINCE ALL ZAIRIANS ARE, BY DEFINITION, ALREADY MEMBERS.

7. (A) SECTION 3, FIRST PARA, SECOND SENTENCE; REWORD BEGINNING TO READ: "THE PROGRAM TURNED OUT TO HAVE BEEN A SERIOUS MISTAKE, BOTH IN RESPECT TO THE WORTH OF SOME OF THE PROJECTS INITIATED AND THE ASSUMPTIONS..."

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(B) SECTION 3, FIRST PARA, LAST SENTENCE; DELETE "OF" AFTER "CONCENTRATION" AND SUBSTITUTE "UPON". "OF" GIVES THE IMPRESSION THAT THE PROBLEM IS ONE OF GEOGRAPHIC AREA SPECIFIC DEVELOPMENT.

8. SECTION 3, PARA 2;

(A) DELETE SECOND SENTENCE AND REPLACE WITH "THIS PROGRAM SO VITIATED THE EDUCATION SYSTEM THAT IT RESULTED IN SIGNIFICANTLY LESS EDUCATIONAL OPPORTUNITIES FOR THE POPULATION."

9. SECTION 3, THIRD PARA.

(A) SECOND SENTENCE; DELETE "INVOLVES THE HIGHEST LEVEL OF THE GOVERNMENT AND". PREVIOUS SENTENCE ALREADY MAKES THIS POINT.

10. SECTION 4, SECOND PARA:

(A) REWORD SECOND SENTENCE AS FOLLOWS: "AS NOTED ABOVE, THE NUMBER OF POLITICAL PRISONERS IS BELIEVED TO BE SMALL AND, DESPITE ALLEGATIONS, THERE IS LITTLE CREDIBLE EVIDENCE OF DELIBERATE TORTURE OR EXECUTIONS."

(B) REWORD FOURTH SENTENCE, AS FOLLOWS; "THE RECENT AND ALMOST SUCCESSFUL INVASION OF ZAIRE RESULTED IN THE ARREST OF A CONSIDERABLE NUMBER OF ZAIRIANS, MOST OF WHOM HAVE ALREADY BEEN RELEASED."

(C) REWORD FIFTH (LAST) SENTENCE AS FOLLOWS: "FEW OF THOSE
DETAINED APPEAR TO HAVE BEEN TORTURED OR OTHERWISE ABUSED."

11. SECTION 4, THIRD PARA:

(A) REWORD THIRD SENTENCE BY CHANGING PHRASE "ARE BADLY
TRAINED" TO READ, "ARE POORLY TRAINED, ILL-MOTIVATED,
ILL-DISCIPLINED AND UNDER-PAID".

12. PART B, ANALYSIS AND RECOMMENDATIONS; THREE-SIX MONTH
TIME FRAME:

(A) AFTER SECOND SENTENCE INSERT NEW SENTENCE; "WE SHOULD,
HOWEVER, CONTINUE TO EXERT DIPLOMATIC PRESSURE TO INSURE THAT
DUE PROCESS IS ACCORDED TO POLITICAL PRISONERS, SUCH AS THE EMBASSY
EMPLOYEE, LUYEYE."
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13. SECTION 5, PARA 1, SECOND SENTENCE, CHANGE TO READ:

"IT PERMITS FOREIGN JOURNALISTS AND NUMEROUS INTERNATIONAL
ORGANIZATIONS SUCH AS THE INTERNATIONAL RED CROSS, MISSIONARIES AND
ESPECIALLY THOSE DEALING WITH REFUGEE PROBLEMS SUCH AS THE UNHCR
AND THE INTERNATIONAL RESCUE COMMITTEE, TO OPERATE RELATIVELY
FREELY".
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